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REPORT OF THE AUDIT OF THE KNOTT COUNTY

SHERIFF'S SETTLEMENT

2007 UNMINED COAL TAXES

For The Period August 17, 2007 through August 11, 2008

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## Kathryn A. Thissen Certified Public Accountant

To The People of Kentucky
Honorable Steven L. Beshear, Governor
Jonathan Miller, Secretary
Finance and Administration Cabinet
Honorable Randy Thompson, Knott County Judge/Executive
Honorable Ray E. Bolen, Knott County Sheriff
Members of the Knott County Fiscal Court

#### **Independent Auditor's Report**

I have audited the Knott County Sheriff's Settlement - 2007 Unmined Coal Taxes for the period August 17, 2007 through August 11, 2008. This tax settlement is the responsibility of the Knott County Sheriff. My responsibility is to express an opinion on the financial statement based on my audit.

I conducted my audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in the <u>Government Auditing Standards</u> issued by the Comptroller General of the United States, and the <u>Audit Guide for Sheriff's Tax Settlements</u> issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

As described in Note 1, the Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In my opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Knott County Sheriff's taxes charged, credited, and paid for the period August 17, 2007 through August 11, 2008, in conformity with the modified cash basis of accounting.

In accordance with <u>Government Auditing Standards</u>, I have also issued my report dated November 6, 2008, on my consideration of the Sheriff's internal control over financial reporting and on my tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of my testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with <u>Government Auditing Standards</u> and should be considered in assessing the results of my audit.

Respectfully submitted

Kathryn A. Thissen

Certified Public Accountant

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November 6, 2008

# KNOTT COUNTY RAY E. BOLEN, SHERIFF SHERIFF'S SETTLEMENT - 2007 UNMINED COAL TAXES

For the Period August 17, 2007 through August 11, 2008

Charges	Special  County Taxes Taxing Districts School Taxes				Chada Tassa			
Charges	County Taxes Taxing		ing Districts	cts School Taxes			State Taxes	
Unmined Coal 2007 Property Tax Penalties	\$	199,233 364	\$	154,508 382	\$	772,030 1,408	\$	280,738 512
Gross Chargeable to Sheriff	\$	199,597	_\$	154,890	\$	773,438	_\$_	281,250
Credits								
Discounts Delinquent Unmined Coal		3,613 864		2,786 653		14,001 3,348		5,091 1,218
Total Credits	\$	4,477	\$	3,439	_\$_	17,349	_\$_	6,309
Net Tax Yield Less: Commissions *	\$	195,120 8,293	\$ 	151,451 6,437	\$ 	756,089 30,243	\$ 	274,941 11,685
Net Taxes Due	\$	186,827	\$	145,014	\$	725,846	\$	263,256
Taxes Paid		186,827		145,014		725,846		263,256
Due Districts as of Completion of Audit	_\$	0	\$_	0	_\$	0	_\$	0

## \* Commissions:

4.25% on 621,512 4% on 756,089

The accompanying notes are an integral part of the financial statement.

# KNOTT COUNTY NOTES TO FINANCIAL STATEMENT

August 11, 2008

## Note 1. Summary of Significant Accounting Policies

#### A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

#### B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

#### C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

## Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

KNOTT COUNTY NOTES TO FINANCIAL STATEMENT August 11, 2008 (Continued)

## Note 2. Deposits (Continued)

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The Sheriff does not have a deposit policy for custodial risk but rather follows the requirements of KRS 41.240(4). As of August 11, 2008, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

#### Note 3. Tax Collection Period

The Unmined coal tax assessments were levied as of January 1, 2007. Property taxes were billed to finance governmental services. Liens are effective when the tax bills become delinquent. The collection period for these assessments was February 18, 2008 through August 11, 2008.

#### Note 4. Interest Income

The Knott County Sheriff earned \$476 as interest income on 2007 unmined coal taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the Sheriff's office.

## Note 5. Sheriff's 10% Add-On Fee

The Knott County Sheriff collected \$2,688 of 10% add-on fees allowed by KRS 134.430(3). This amount will be used to operate the Sheriff's office.

## Note 6. Advertising Costs And Fees

The Knott County Sheriff collected \$155 of advertising costs and \$355 of advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). The Sheriff distributed the advertising costs to the county as required by statute, and the advertising fees will be used to operate the Sheriff's office.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

# Kathryn A. Thissen Certified Public Accountant

The Honorable Randy Thompson, Knott County Judge/Executive Honorable Ray E. Bolen, Knott County Sheriff Members of the Knott County Fiscal Court

Report On Internal Control Over Financial Reporting And On Compliance
And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

I have audited the Knott County Sheriff's Settlement - 2007 Unmined Coal Taxes for the period August 17, 2007 through August 11, 2008, and have issued my report thereon dated November 6, 2008. The Sheriff's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

## Internal Control Over Financial Reporting

In planning and performing my audit, I considered the Knott County Sheriff's internal control over financial reporting as a basis for designing my auditing procedures for the purpose of expressing my opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Knott County Sheriff's internal control over financial reporting. Accordingly, I do not express an opinion on the effectiveness of the former Sheriff's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with the modified cash basis of accounting such that there is more than a remote likelihood that a misstatement of the entity's financial statement that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statement will not be prevented or detected by the entity's internal control.

My consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. I did not identify any deficiencies in the internal control over financial reporting that I consider to be material weaknesses, as defined above.

Report On Internal Control Over Financial Reporting And On Compliance And Other Matters Based On An Audit Of The Financial Statement Performed In Accordance With Government Auditing Standards (Continued)

## **Compliance And Other Matters**

As part of obtaining reasonable assurance about whether the Knott County Sheriff's Settlement - 2007 Unmined Coal Taxes for the period August 17, 2007 through August 11, 2008 is free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of my audit and, accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, the Knott County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Kathryn A. Thissen

Certified Public Accountant

Kathryn A. Thissen

November 6, 2008